

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA

CORY HOCH,

Plaintiff,

v.

STEPHANIE CLENDENIN, et al.,

Defendants.

1:23-cv-00796-KES-SKO

**ORDER GRANTING DEFENDANTS' EX  
PARTE APPLICATION TO EXTEND THE  
DISPOSITIVE MOTION DEADLINE**

(Doc. 25)

Plaintiff is a civil detainee proceeding pro se and *in forma pauperis* in a civil rights action pursuant to 42 U.S.C. § 1983. This action proceeds against Defendants Clendenin and Price for violations of Plaintiff's constitutional rights.

**I. INTRODUCTION**

On February 6, 2024, this Court issued its Discovery and Scheduling Order. (Doc. 20.) The deadline for the filing of dispositive motions was set for September 6, 2024. (*Id.* at 1, 3.)

On August 21, 2024, Defendants filed an Ex Parte Application to Modify Dispositive Motion Cutoff in Discovery and Scheduling Order. (Doc. 25.)

**II. DISCUSSION**

Defendants seek an additional 21 days within which to file a motion for summary judgment. (Doc. 25 at 2-3.) The ex parte application is supported by the Declaration of Brenda A.

1 Ray. (*Id.* at 4-5.) Defense counsel states that in the next two weeks she has another motion for  
2 summary judgment due in an action pending in this Court, a response to a demurrer in a putative  
3 class action matter pending in Sacramento County Superior Court, an evidentiary hearing in a  
4 separate matter before the Sacramento state court, and an evidentiary hearing in another matter  
5 pending in Amador County Superior Court. (*Id.* at 4, ¶ 3.) Counsel states she has spent  
6 considerable time researching and investigating the claims, preparing responsive pleadings and  
7 dispositive motions, and preparing witness testimony and argument in the above matters. (*Id.* at 4,  
8 ¶ 4.) Defendants request that the Court to continue the dispositive motion deadline to September  
9 27, 2024. (*Id.* at 3.)

10 **III. CONCLUSION AND ORDER**

11 Good cause appearing, **IT IS HEREBY ORDERED** that:

- 12 1. Defendants' ex parte application to modify the dispositive motion deadline (Doc. 25)  
13 is **GRANTED**; and  
14 2. The deadline for the filing of any dispositive motion is extended from September 6,  
15 2024, to **September 27, 2024**.

16  
17 IT IS SO ORDERED.

18 Dated: **August 22, 2024**

*/s/ Sheila K. Oberto*  
UNITED STATES MAGISTRATE JUDGE